

109TH CONGRESS  
1ST SESSION

# S. 447

To authorize the conveyance of certain Federal land in the State of New Mexico.

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## IN THE SENATE OF THE UNITED STATES

FEBRUARY 17, 2005

Mr. DOMENICI introduced the following bill; which was read twice and referred to the Committee on Agriculture, Nutrition, and Forestry

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## A BILL

To authorize the conveyance of certain Federal land in the State of New Mexico.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “Jornada Experimental  
5       Range Transfer Act of 2005”.

6       **SEC. 2. DEFINITIONS.**

7       In this Act:

8               (1) BOARD.—The term “Board” means the  
9       Chihuahuan Desert Nature Park Board.

1           (2) SECRETARY.—The term “Secretary” means  
2           the Secretary of Agriculture.

3   **SEC. 3. CONVEYANCE OF LAND TO CHIHUAHUAN DESERT**  
4                           **NATURE PARK BOARD.**

5           (a) CONVEYANCE.—The Secretary may convey to the  
6   Board, by quitclaim deed, for no consideration, all right,  
7   title, and interest of the United States in and to the land  
8   described in subsection (b).

9           (b) DESCRIPTION OF LAND.—The parcel of land re-  
10   ferred to in subsection (a) consists of not more than 1000  
11   acres of land selected by the Secretary—

12           (1) that is located in the Jornada Experimental  
13   Range in the State of New Mexico; and

14           (2) that is subject to an easement granted by  
15   the Agricultural Research Service to the Board.

16           (c) CONDITIONS.—The conveyance of land under sub-  
17   section (a) shall be subject to—

18           (1) the condition that the Board pay—

19                   (A) the cost of any surveys of the land;  
20                   and

21                   (B) any other costs relating to the convey-  
22                   ance;

23           (2) any rights-of-way to the land reserved by  
24   the Secretary;

1           (3) a covenant or restriction in the deed to the  
2       land described in subsection (b) requiring that—

3               (A) the land may be used only for edu-  
4       cational purposes;

5               (B) if the land is no longer used for the  
6       purposes described in subparagraph (A), the  
7       land shall, at the discretion of the Secretary, re-  
8       vert to the United States; and

9               (C) if the land is determined by the Sec-  
10      retary to be environmentally contaminated  
11      under subsection (d)(2)(A), the Board shall re-  
12      mediate the contamination; and

13           (4) any other terms and conditions that the  
14      Secretary determines to be appropriate.

15      (d) REVERSION.—If the land conveyed under sub-  
16      section (a) is no longer used for the purposes described  
17      in subsection (c)(3)(A)—

18           (1) the land shall, at the discretion of the Sec-  
19      retary, revert to the United States; and

20           (2) if the Secretary chooses to have the land re-  
21      vert to the United States, the Secretary shall—

22               (A) determine whether the land is environ-  
23      mentally contaminated, including contamination  
24      from hazardous wastes, hazardous substances,

1 pollutants, contaminants, petroleum, or petro-  
2 leum by-products; and

3 (B) if the Secretary determines that the  
4 land is environmentally contaminated, the  
5 Board or any other person responsible for the  
6 contamination shall remediate the contamina-  
7 tion.

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